

# THE CALCUTTA JOURNAL,

OR,

## Political, Commercial, and Literary Gazette.

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### General Summary of News.

#### EUROPE.

Madras Gazettes of the 8th instant reached town yesterday, and convey intelligence brought by arrivals from England, extending to the 2nd of April. They have published the principal heads of news in short paragraphs; and as we have not access to the sources themselves from whence these are drawn, we cannot do better than give them as literal transcripts from the Madras Papers.

This morning arrived the Hon'ble Company's ship *Minerva*, Captain Mills, from London, the 15th March, and Portsmouth the 4th April.—The following is a list of her Passengers:

Mrs. General Browne, Mrs. Collier, Lieut-Col. Fehragen, Captain Chipmell, Lieut. C. Williams, and Ensign Taggart, H. M. 53d Regt. Lieutenants Babington, and Mathias, Ensign M'Gregor, and Assistant Surgeon Bolton, H. M. Royal Scots, Lieutenants Smith and Baillie, H. M. 69th Regt. Ensign Hadwin, H. M. 34th Regt. Messrs. Campbell, Cox, Humphreys, Venian, Hodges, Murray, and H. M. Entream, Cadets; and Messrs. Taylor and Clarke, Assistant Surgeons, Mr. Law, Free Mariner, Mr. J. Mills, Cadet, for Bengal.—Messieurs Lang and Pele died at Sea on the 11th of June.

By this opportunity we have received files of English papers down to the 2d April, from which we have collected the following few heads of intelligence. In our regular publication shall appear copious extracts from them.

We are happy to observe that the Court of Directors, on the 10th of March, passed a resolution, granting to the Most Noble the Marquis of Hastings a pension of £5,000 a year, for twenty years.

The election of six Directors of the East India Company was appointed to take place on the 14th April. The following gentlemen were candidates:—Alex. Allan, Esq. Robt. Campbell, Esq. Samuel Davis, Esq. Hon. Hugh Lindsay, John Morris, Esq. David Scott, Esq.

The Cotton Market at Liverpool is said to be exceedingly dull, and offers no prospect of amendment.

Several detachments for the H. C. Army in this country, were embarked during the month of March, at Gravesend. Also, detachments for the Royal Scots, 34th and 69th Regts.

Lord Byron has published, in the Monthly Magazine, a prose tale entitled "the *Vampyre*," which we are told is of the most horrific nature.

The death of Sir Walter Farquhar, Bart. M. D. is announced in the Star of the 1st of April.

On the 29th March, the House of Commons was occupied in discussing the charges of misconduct alleged against Mr. Wyndham Quin. Himself opened the discussion, by a defence,

and then withdrew. Sir Robert Wilson, after a comment on the evidence, moved several Resolutions, leading to a declaration that Mr. Quin had violated the purity of Election, the privileges of Parliament, and the duties of *Custos Rotulorum*. Mr. Bootle Wilbraham moved counter-resolutions, calculated to negative every thing criminative in those moved by Sir Robert Wilson; and several Members spoke at great length for and against the respective Resolutions. A division took place, first, on Mr. Wilbraham's Amendments, conveying a slight censure upon Mr. Quin—negatived, 162 against 73. Then followed a division on Sir Robert Wilson's Resolutions of censure, which were also negatived, 154 against 81. Mr. Lambton then moved to have Mr. Goold taken into custody for prevarication in his evidence, which after some debate, was negatived by a great majority—134 against 8.

About the 20th March, apprehensions were entertained of an insurrection in the Vicinity of Manchester, and other parts of Lancashire, in consequence of the distress of the manufacturers and workmen.

A letter has been received at Paris from Manheim, dated the 23d March, which states, that M. de Kotzbue was on that day assassinated by a student, who afterwards stabbed himself with the poignard, which was the instrument of his crime. Both are said to have died on the spot.

Sir David Baird is to succeed to the Government of Kinsale, vacant by death of Sir Cornelius Cuyler. Lord Beresford is to get the 69th Foot; and Sir Gordon Drummond is to be Col. of the 88th Regiment, in the room of his Lordship. Colonel Harvey, Military Secretary to the Duke of Wellington in his several campaigns, has succeeded Lieutenant-Colonel Chapman, as Secretary to the Master-General of the Ordnance. The latter, it is said, retires on a pension.

The following ships from this country arrived in England in the month of March:—Norfolk, Edwards, from Bengal. Wanstead, Young, from Calcutta. Malabar, Clolough, do.

On the 31st March, a Court of Directors was held at the East India House, when the following Commanders took leave of the Court, previous to departing for their respective destinations, viz.—

Captains J. Blanchard, Carnatic, and W. Manning, Thomas Grenville, for Madras and Bengal.

Captains C. S. Timins, Bridgewater, G. Richardson, Marquis of Ely, and R. Locke, Larkins, for St. Helena and China.

Captains A. Lindsay, Kellie Castle, W. Younghusband, Lord Castlereagh, J. P. Wilson, Cornwall, G. Tennant, Apollo, and W. Hamilton, Matilda, for China direct.

Our venerable Sovereign continued in the best bodily health, but his disorder is unchanged.

We observe no change in the Ministry.

All is quiet at home, but the Commercial accounts are very distressing. From the manufacturing districts the reports are alarming.

The Prince Regent was still at Brighton.

The Honourable Mr. Lamb is returned for Westminster. On the fifteenth and last day the numbers were for

Mr. Lamb, .....	4465
Mr. Hobhouse, .....	3861
Major Cartwright, .....	38

This return caused an immense tumult. Mr. Lamb's Committee Room was nearly demolished. The Horse Guards were called out, and a mob battle ensued. The windows of several Noblemen in Mr. Lamb's interest were demolished. The mobility also wreaked their fury with effect on the houses of Lord Castlereagh, Mr. Wishart, the British Hotel, the Courier Office, the Morning Chronicle Office, and various others, a great deal too numerous to recapitulate here!! The mob were ultimately dispersed, but not before Mr. Lamb had been compelled to escape by flight out of an upstairs window by a rope, and General Fergusson had been severely wounded!!

The Thanks of the Houses of Peers and Commons, were unanimously voted on the 2d of March, to the Marquis of Hastings and the Army in India. An amendment was moved by the Marquis of Lansdown, but it was withdrawn.

Sir James Mackintosh has succeeded in his motion for the amendment of our Penal Code! This is truly consoling to the Philanthropist.

The Lord Chancellor continued greatly indisposed. The Lord Chief Justice acts for the Chancellor in the House of Lords, but as he is not a Peer, he can speak on no subject in the House.

The Political horizon of France continues to lower. The capital of that distracted country is more than ever agitated by the conflict of Political Parties. It has been evident for some time, that there is a party in the French Legislature, called Ultra Royalists, whose object is to exclude from the management of public affairs all those persons who have borne a conspicuous part under the Republican, or Imperial Government—as a prelude it is suspected, to an attempt to re-establish the ancient regime. This party appear to have at length gained such ascendancy in the Chamber of Peers, as almost to paralyze public business by their determined opposition to all measures brought forward by the Ministers—particularly the new Election Bill. To avoid the evils of their intemperate zeal in the cause of Royalty, a majority in the Chamber of Peers became expedient. The King, therefore, in the exercise of the constitutional prerogative of the Crown, elevated to the Peerage no less than 59 persons—among which number there are but few who did not hold offices, civil or military, under Bonaparte. The measure was a bold one, but there was danger on both sides. The press teems with animadversions on this subject, some of which appear in the leading paragraph of our London news.

The celebrated St. Jean D'Angely died lately at Paris. That country shews symptoms of great agitation. Matters are said to have nearly arrived at a crisis between the conflicting parties.

What will our readers say when we tell them that the notorious Marshall Suchet, the butcher of Spain, whom Napoleon hesitated to trust, stands first on the late list of Peers, nominated by the Royal Ordinance!! To what an extremity must the Bourbons be reduced to elevate such a man to the Peerage!

All the old Marshalls are now Peers of France!—The triumph of superior talent and energy!! Of sixty of the new Peers, thirty-two were officers of high rank under Bonaparte during the reign of "a hundred days." The new Peers were to take their Seat in a body on the 20th of March.

The King of France continued indisposed.

*Virviers.*—An article from the Lower Rhine, mentions the following circumstance as having occurred at Virviers:—

"A Frenchman from Sedan has exhibited and offered for sale, at Virviers, a newly-invented cloth-shearing machine, by which a single workman can direct eighty pair of shears, and which they have not yet ventured to employ in England. Scarcely had the workmen learned this, when they began to say to each other, 'the machine can prepare 12 ells of cloth in a minute, we shall be reduced to beggary if it be introduced.' On the 20th, all the workmen left their work, assembled tumultuously about the machine and destroyed it, before the gens d'armes could come up to prevent them.—The workmen in their fury resolved to destroy all the other machines in the place, but the Mayor of Virviers foreseeing the probability of this event, had written to Liege for assistance, and the gens d'armes arrived from Liege just in time. Blood was shed on both sides; four men were severely wounded. The proprietor of the new machine had got out of the way at the first moment, otherwise he would have been torn in pieces by the mob. Tranquility is now, indeed, restored, but the principal manufacturers, who are proprietors of machines, have still military guards in their houses and manufactories, for their protection. If the gens d'armes from Liege had delayed a few hours, the furious mob would have destroyed all the other spinning and shearing machines, and set the buildings on fire."

*Greece.*—Another English Gentleman, Sir Wm. Gell, has traversed Greece in all directions, and is now returned; he has been absent from three to four years. He is occupied in arranging for publication a statistical history of that country, which will contain a detailed description and some very interesting information on the antiquities of Greece.

#### ST. HELENA.

It is stated on the authority of private Letters that Mr. Ricketts, the late member of the Supreme Council of Bengal, had succeeded in obtaining an interview with the illustrious Exile of this Island, on the occasion of the H. C. S. Astell touching there on her way to England. The indefatigable perseverance of this gentleman in obtaining information on all subjects, and from all quarters, is too well known to the principal members of the Indian community, to excite surprise at his having accomplished by his insinuating address and prepossessing manner, what had been so long denied to men of less pretensions. We have no doubt, but that the mass of useful and important information which Mr. Ricketts succeeded in gleaned from a variety of sources during his residence in India, added to those with which he will, no doubt, augment his stock in the same way on his passage home, will enable him to lay before the Honorable Court in Leadenhall Street, and the British Parliament in Westminster, (in both of which distinguished quarters we have reason to believe the aspiring mind of Mr. Ricketts hopes for distinction,) materials that have never before seen the light.

On the subject of St. Helena we find a paragraph in a late English Paper, which says,

Lieutenant Coghlan, of the Navy, arrived in town on Thursday morning with dispatches from Sir Hudson Lowe, which were brought by the Bombay Castle, which vessel was obliged by contrary winds to put into Crookhaven, after a tedious passage of nine weeks. We have been favoured with the following account of some recent transactions there, which is extracted from a letter:

"A most disgraceful scene was presented to the inhabitants of St. Helena, a few day past. Messrs. Harrington, at the Cape, shipped on board of a brig, which arrived here, a carriage for General Bertrand, which had been ordered several

months before to be made in India, with the knowledge and consent of the Governor. The moment it was known to be on board, the greatest bustle and confusion prevailed amongst the Staff here. The unfortunate vehicle was landed, the lining ripped up, the body, pannels, and every atom of it broken to pieces, and the fragments scattered about the wharf, upon the ridiculous pretext that letters for Bonaparte might be concealed in some part of it. In consequence of the prohibition of intercourse between Bonaparte's followers and the inhabitants, the tradesmen to whom the French are indebted find it impossible to obtain payment of their bills. Upwards of a thousand pounds have been due by them for a considerable time to a house here, not a farthing of which can be obtained. People are afraid of mentioning their names in public, or of even being seen at the same side of the street with them, lest they should become objects of suspicion to the Adjutant-General. A new house is building for Bonaparte, in a hollow, about two hundred yards from where he now lives. It is supposed that it will require four years to finish it, and that it will cost, when finished, many thousand pounds. No preparation having been made for putting the timber into frame before it was shipped from England, and as the whole must be carried up the mountain, chiefly by the labour of men, the disadvantage of a new and damp building will be united to all the unsuitableness of the present residence. Bonaparte is never seen abroad, and neither the Governor nor any other Englishman knows any thing more about him than that the Orderly Captain occasionally gets a glimpse of him through the window blinds."

### Droit d'Aubaine.

To the Editor of the Calcutta Journal.

SIR,

Whenever erroneous information find its way into the productions of respectable and intelligent writers, it is incumbent on every man, who from circumstances is enabled to do so, to point out the error in question, lest it should derive credit from the authority of the publisher.

This consideration leads me to address you on the subject of a paragraph, that appeared in the Journal of Friday last, under the article *France*. It is there said that "the revival of this odious prerogative, the *Droit d'Aubaine*, at the time of the compilation of the Code Napoleon, met with considerable opposition in the French legislative assemblies; that prior to the revolution, there was an exemption in favor of the Swiss, Portuguese, and Scotch; but that Napoleon could not be expected to suffer any restraint from such usages."

Although it be true that prior to the revolution, the King of France was heir to all non-naturalized foreigners,—although it be true than this *Droit d'Aubaine* was abolished by the Assemblée Constituante,—although it be true that the *revival*, as termed in the Journal, met with great opposition, and was at last carried by the speeches of Threillard, and Regnauld de St. Jean d'Angely, in the Corps Legislative, and that of Gary in the Tribunat, urging the necessity of adopting some retaliating measures against the disposition of the law of foreign countries, some of which, notwithstanding the decree of the Assemblée Constituante, continued to follow this odious prerogative, in regard to Frenchmen;—although all this be true, yet how far the word *revival* be applicable to the French law as it now stands in the Code Civil, a few extracts from it will easily show.

#### Deuxieme Loi. Titre Premier. Chap. Premier.

ART. 11. L'étranger jouira en France des mêmes droits civils que ceux, qui sont, ou seront accordés aux Français par la nation à laquelle cet étranger appartiendra.

ART. 13. L'étranger qui aura été admis par le Gouvernement à établir son domicile en France, y jouira de tous les droits civils, tant qu'il continuera d'y résider.

#### Troisième Loi. Titre Premier. des Succession. Chap. Second.

ART. 16. Un étranger n'est admis à succéder aux biens que son parent, étranger, ou Français, possède dans le territoire Français, que dans les cas, et de la manière dont un Français succède à son parent possédant des biens dans le pays de cet étranger.

I beg to draw your attention to the liberality of the 13th Art. of the 2d Law; permission alone from the French Government to reside in France entitles a foreigner, *ipse facto*, to ALL the privileges of a French citizen, and this law too was enacted in 1802, in the height of French power, when a French citizen was yet superior to a Civis Romanus.

It is unnecessary to add any remarks relative to the spirit of the above regulations. After thirteen years experience, it was time to resort to measures of reciprocity; yet the door is opened, and an invitation given for the adoption of a more liberal system of international intercourse.

Those that "cannot expect that Napoleon will suffer any restraint," are not aware, perhaps, that they implicitly praise, and give him credit for the good which he *restrained not*, but suffered to appear in the ever memorable Code Napoleon.\*

Calcutta, July 19, 1819.

ALETE-PHILO.

### Court of Requests.

To the Editor of the Calcutta Journal.

SIR,

As none of the Commissioners of the Court of Requests seem to consider themselves called upon to make a public exhibition in defending the Court, every time its modes of proceeding may happen to be assailed by an ignorant and anonymous scribbler, I shall take it upon myself to observe upon the communication of VERAX in your Journal of Saturday.

He begins by yielding a very essential point, viz. the right of one Commissioner to make an order for the apprehension of persons in certain cases. He is however obviously mistaken when he says this right was never denied; for the general assertion, that one Commissioner has no right to administer an oath, was expressly made: and without that power he can have none to issue processes founded on an affidavit, of which a warrant to arrest is one.

VERAX illustrates the inconsequence of this admission by saying—"So a single Judge of the Supreme Court grants an Order for a Capias to hold to Bail."—Very true:—but I wonder he did not perceive that the analogy runs a little further—for he might have added—"So a single Judge of the Supreme Court proceeds in certain cases to TRIAL and JUDGMENT." And the same is the case in every Court where the number forming a *quorum* is not expressly limited by law.

\* Our readers will no doubt be thankful to our intelligent Correspondent for the pains he has taken to lay before them, the particulars regarding this privilege of the *Droit d'Aubaine*. For ourselves, since the main facts stated in the Journal regarding the history and progress of this Law are admitted, we shall not count whether the word *revival* be equivalent with *renewal* or not, or whether it best expresses what is meant, namely, *is a revival* brought under consideration and opposed by discussion, *when* time of the Code Napoleon, since this fact is also *acknowledged*. Whether Napoleon deserves praise or not, for his *being impatient* of restraint, is a question on which much difference of opinion might arise, but in the present instance it was *not meant to bestow* it on him.

Ed.



The next point advanced by VERAX, is a begging of the question. He says—"The passage quoted by your Correspondent proves (of itself alone) that one Commissioner has no right to try a cause, and that even two are incompetent to the purpose, unless the Commissioners shall be reduced to that number." VERAX does not condescend to shew how he deduces his conclusion from the premises; and I suppose few of your readers will admit his "*ipse dixit*" as proof, particularly as the purport of the provision in question has been already clearly and distinctly pointed out; and no one will even pretend to say that the passage can support VERAX's conclusion, except by implication. Whenever VERAX or any one else will shew how such implication is made out, it will be soon enough to answer him. In the meantime I have a logical right to say that the passage in question will not sustain the position which VERAX pretends to found upon it.

VERAX has not noticed one important observation in the Letter to which he replies, and I therefore request his attention to it. It is there asserted that in no part of the Proclamation is it stated, that when the number of the Commissioners in the Court is reduced to one, such single Commissioner cannot tender an oath nor pass a decree. If this be erroneous, why does not VERAX prove it to be so?

The Proclamation does not "direct that three are to try the causes." VERAX admits that two may constitute a Court when there are no more Commissioners in the Court, and for the same reason one Commissioner may constitute a Court when there is no other Commissioner in the Court. There is nothing in the words of the Proclamation that limits the meaning of the term *reduction*, to a reduction from necessity, more than to a reduction by mere optional absence.

In the same manner the Supreme Court is constituted of three Judges; but the proceedings held there, are considered as held in Court, whether the three Judges sit together, or the number on the Bench be reduced to two or one, by absence, voluntary or otherwise.

If it be of great importance that at least two Judges should sit together on all trials in the Court of Requests, the argument applies *a fortiori* to the Supreme Court, where often matters of much greater moment are at issue before a single Judge, than ever can come before the Court of Requests;—questions of life and death for instance. But one expediency must give way to another higher expediency; and therefore it is more fitting that both Courts should remain on their present footing, than that their constitution should be altered to suit the views of VERAX.

The Proclamation directs, that the Court of Requests and its proceedings shall be subject to the control of His Majesty's Supreme Court. Yet no intimation, so far as I can learn, and I have made particular inquiries regarding the fact, has been communicated by the Judges of the Supreme Court to the Commissioners of the Court of Requests, that it is illegal for one Commissioner to try a cause. The fact itself must have been repeatedly brought to the notice of one and all of them, both in Chambers and in open Court. Is it credible that such an able, upright, and active Judge as Sir John Anstruther, who is known to have planned the present Constitution of the Court, and his successors, should have permitted a practice to be constantly in use which was illegal.

One Commissioner has been considered competent to try causes ever since the Proclamation which establishes the Court on its present footing was published. The first Commissioner appointed by the Proclamation was, as I am informed, at the moment absent at sea on account of his health, and the third Commissioner had an Office in the Supreme Court, which demanded a portion of his attention. These facts were no doubt well known to those who framed the Proclamation and nominated the original Commissioners; and it is not to be imagined that they could have intended that the bu-

siness of the Court of Requests was to stand still, so long as those circumstances might happen to continue. Supported not only by reasoning, but by such grave authority, it may be safely concluded that when one Commissioner sits and tries a cause, he is only performing the duties which he has sworn to fulfil; and that unless a positive restriction to a contrary effect can be shewn, that he has, according to every definition of right, the right and the power to perform them singly.

I confess the logic of the following passage is to me incomprehensible, but the question which it puts is easily answered. "If the Senior Commissioner is *every thing*, it will follow, that the Junior is *nothing*. If the one has a right under peculiar circumstances to decide all causes, and if he is *therefore* authorized to sit alone, it is a pity your Correspondent had not informed us on what authority it is that the Junior acts when he sits alone." The Senior Commissioner is *every thing* when he sits either alone or with a Junior; but not so when the three Commissioners sit. In that case, if the two Juniors agree in one opinion, different from that of the First Commissioner, he is *nothing*: so too, if the Second Commissioner differs in opinion from that of the First and Third, he is *nothing*. It never was argued that the right of the Senior of two to decide, was the foundation on which the power of one to pronounce a legal decree, rested in the slightest manner. The Junior acts when he sits alone by the same right that the Senior does when he sits alone;—the right of doing what competent authority has bound him by oath to perform.

VERAX "believes that what has been stated as having fallen from the Judge, will be found in a Rule or Regulation relating to the Court of Requests." Instead of resting satisfied with his belief, he ought to have shewn where such words are to be looked for. They are *inconsistent* with the terms of the Proclamation of 1802,—they are equally so with the Constitution of the Court previous to that period,—and they are not to be found in the last Proclamation—1813.

As to VERAX's doctrines on the subject of murder, I see nothing very new in them, or rather which is not quite stale. I suspect some venial error of the press, when he says that "if *lawfully* attacked, we may justly kill."\* If *unlawfully* attacked, we may, in the defence of our persons and property, justly kill; and it was because your publication tended to impress persons with the belief that they were *unlawfully* attacked in the attempt to carry them to Jail on the order of a single Commissioner, that your conduct was liable to reprobation. It might have induced a man to resist the process of the Court, even to the length of putting to death the Officer entrusted with its execution. Such killing would have subjected the offender to the penalty inflicted on murderers.

*A word to VERAX himself.*

SIR,

Before you again write on the subject of the Court of Requests, I wish you to reflect that even if those opinions regarding it which you hold, and to which you have given publicity, be true, they are such as if acted upon, must be productive of much immediate evil, and no possible good. You are told that the alleged irregularities of its proceedings arise from the *necessity* of the case, as it stands at present. While that necessity exists, why endeavour to make the authority of those who are supposed to act under it, and who it is admitted are not capable of making a worse use of their authority than necessity constrains them to, liable to be resisted and set at defiance, even to death itself, before any remedy for such necessity can be thought of or applied? But if the opinions you have supported are *wrong*, the guilt that *may* be incurred by those whom they may mislead, is already *yours!!!*

July 20, 1819.

VERITAS.

\* This was an error of the Press, and fortunately the context of the passage was sufficient to shew it to be merely a misprint.

## Imperial Parliament.

### HOUSE OF LORDS.—THURSDAY, FEB. 18.

The Royal Assent was given by Commission to the Malt Duties Bill.

The Commissioners were the Lord Chancellor, the Earl of Shaftesbury, and Lord Melville.

Counsel were heard on Taaffe's Divorce Bill. Evidence was also heard to the same effect as that given in the Court below.—The farther hearing was postponed till Tuesday.

The Bill which was introduced by Mr. Lawson, for a road in Yorkshire, was read a third time and passed.

The Bristol Gas Light Bill and the Exchequer Bills Bill were read a second time, and ordered to be reported to-morrow.

### LUNATIC ESTATES.

The Marquis of Lansdown said he held in his hand a Petition complaining of a great hardship, and one which in a particular manner called for their Lordships' attention, as it arose out of their Lordships' legislation. The Petition was from two individuals who had obtained a Decree of the Court of Chancery for the sale of the estate of a lunatic, but which could not be effected, as the estate consisted of copyhold property. It appeared, that in the Act passed some years ago, for regulating the power and jurisdiction of the Court of Chancery with respect to the sale of the estates of lunatics, that the word "Copyhold" had by some mistake been omitted. The consequence of this neglect was, that no sales of such property could be made. The Petitioners prayed, that their Lordships would not fail to remedy this deficiency in the Act.

The Lord Chancellor was of opinion, that there was no intention to exclude copyhold property from the operations of the Act; and as such a mistake had occurred, he was surprised that no Bill had been introduced, either to declare that the Act referred to should embrace copyhold property, or to repeal it, and substitute a new Act on the subject. The Bill was brought into Parliament by the present Lord Chancellor of Ireland, and it was recommended in the Master's Report on the subject, that copyhold estates should be applied in the way provided for by the Act. As it was certain that it had been originally intended to include copyhold estates in the Act, it was proper that it should be amended; and his Lordship, as we understood, intimated that he would himself introduce a Bill for this purpose.

### SLAVE TRADE.

The Marquis of Lansdown rose in consequence of what passed between him and the Noble Secretary of State on Monday last, to give notice that he should to-morrow move for copies of the instructions given to the Commanders of his Majesty's vessels, on the subject of the Slave Trade; and also the instructions given to the Commissioners appointed according to the Treaty.—Adjourned.

### HOUSE OF COMMONS.—THURSDAY, FEB. 18.

In consequence of two ballots being fixed for to-day, the gallery was not opened until five o'clock.

The Speaker informed the House, that the Petitioners against the return for Great Grimsby had not entered into the necessary recognizances: the order made for its further consideration was accordingly discharged.

### INVERKEITHING ELECTION.

Mr. Ley, at the Bar, presented a list of the Members chosen by ballot to try the merits of the Petition against the return for Inverkeithing.

Mr. Chute presented a Petition from the Owners and Occupiers of Land in Hampshire, for an alteration in the Corn Laws.

Lord Palmerston laid upon the table abstracts of estimates relating to the army.

Mr. H. Clive brought up some returns of persons confined in the different gaols for criminal offences. It was ordered that they should be printed.

### IRISH ELECTIONS.

Sir John Newport begged to call the attention of the House to a Petition he had to present from a Mr. Dalton, the agent for certain petitioners, who complained of an undue return for the country of Cork. The petitioner stated, that he had not been aware, that the Act of the 53d Geo. III. relating to entering into recognizances, extended to Ireland, and that several Counsel of high eminence in Ireland had been in the same state of ignorance: in consequence, he had neglected to take the necessary steps, and he prayed that further time might be allowed, adding, that the statute in its first clause did not purport to extend to Ireland. The Honourable Baronet hoped, that under these special circumstances the House would grant the indulgence required.

The Petition having been read, and the question put that it be laid upon the table.

Mr. W. Wynn said, that generally he thought the misconception or ignorance of an individual ought not to be made a ground for granting further time: it appeared to him most extraordinary that the mistake had arisen, for he thought the first clause only related to Great Britain, all the rest of the Bill included Ireland expressly. It seemed, however, that not only the petitioner, but that many other individuals in the sister island, and particularly a very learned gentleman, of the name of Gabbet, who had published a most useful digest of the Acts relating to Ireland, had fallen into the same unaccountable error, which affected all the five Petitions presented against returns in Ireland. With regard to one, that relating to Drogheda, he feared that all remedy would be too late, as the order had been actually discharged, and the House had no power to proceed further with it. He felt disposed, under all the circumstances, to concede the relief required, and perhaps a short declaratory recital might be necessary when further time was granted.

Mr. Bathurst considered the question one of very great importance, and requiring serious deliberation.

Mr. Bankes recommended, that if any delay took place, a Committee should be appointed to investigate the subject. He objected to having the petition laid upon the table, unless the debate upon it were adjourned.

Sir John Newport moved, that the Petition be laid upon the table, with view of submitting a motion on the subject to-morrow.

The Petition was then laid upon the table.

The Speaker said, that upon reference to the book, it appeared that no order upon a Petition had been discharged, though time had in some cases been granted: the order relating to the Drogheda Petition had not been discharged, but further indulgence had been refused. In the Galway Petition, the prayer for further time had been complied with.

Mr. W. Wynn was glad to find that he was in an error regarding the Drogheda Petition: although by the rule of the House the time for receiving recognizances could only be enlarged once, it did not apply to cases where an extension had been conceded for entering into them. In the Shaftesbury Election, the House had actually revived an order which had been discharged.

The Speaker begged to remind the House, that further time had been refused in two out of three of the Election Petitions that had come from Ireland. To extend the time, therefore, now, would be to make the House contradict its own proceedings.

The subject was then dropped.

### STATE OF PRISONS.

Lord Castlereagh, in a very low tone of voice, gave notice of a motion for Tuesday next for a Committee, as we understood, upon the State of Prisons, and upon the best means of reforming persons confined in them.

Sir J. Mackintosh wished to know how long the papers on this great question had been before the House. If they were only just presented, he thought the interval between this day and Tuesday much too short for examining them, and enabling members to make up their minds as to the course that ought to be adopted.

Lord Castlereagh said, that he was informed that the papers had only been presented to-day; he was quite willing to postpone his notice until Thursday.

It was fixed for Thursday accordingly.

Mr. Lambton gave notice of a motion on the subject of copy-right for Thursday, March 11.



## SLAVE TRADE.

Mr. Smyth said, he rose to move for the production of several documents on the subject of the present state and progress of the Slave Trade, including the instructions furnished by the Admiralty to the commanders of British vessels, with a reference to the conduct which they were to observe towards persons or ships found or suspected to be engaged in that traffic. He was induced to make this motion from a view of obtaining information as to that increase of the Slave Trade which was generally understood to have taken place, and which was also imputed in a great degree to the delay in sending out Commissioners to Africa.

Lord Castlereagh signified a wish that the Honourable Member would defer his motion till to-morrow (this day), when it might be entertained in connexion with the other topics arising out of the conventions on the subject of the Slave Trade.

Mr. Smyth observed, that the object of his motion was to obtain the means of judging what had been the conduct of his Majesty's Government, as regarded the execution of the treaties with Spain and Portugal.

After a few words from Lord Castlereagh, the motion was withdrawn, and notice of it entered for to-morrow.

Mr. Tierney expressed a desire to know, whether it was to be understood, that all the papers laid on the table by the Noble Lord, touching these conventions, would be taken into consideration to-morrow. He certainly had had no expectation that this would be the case. The terms of the notice could not have led any one to suppose that more than general conversation would occur; but if the merits of all the proceedings adopted in relation to this subject were to be brought under review, it appeared to him that the House ought to do something more than converse. It would in fact be an entire waste of time to go into the consideration of so important a question, unless brought forward in the shape of some substantive proposition.

Lord Castlereagh did not conceive that it was incumbent on him to do more by the terms of his notice, than to afford an opportunity to every Honourable Member who might wish to put a question to his Majesty's Ministers with regard to the state of the Slave Trade, and the measures adopted for repressing it. He believed he should be able to shew, that this afforded no point on which it could be necessary to call for a decision by the House, although some conversation might naturally be expected.

Mr. Tierney said, it was true that no distinct question stood for discussion, and it was therefore, he thought, the course to be followed was an inconvenient one.

Dr. Phillimore said a few words, and we believe to the same effect.

## GIBRALTAR.

Mr. Tierney remarked, that he had lately been made acquainted, that certain duties on various articles were levied at Gibraltar, and added to the revenue of the Crown. If his information were correct, he wished to know under what authority such duties were levied, and when levied, applied to what purpose.

The Chancellor of the Exchequer replied, that he certainly was aware of the existence of the duties alluded to, and believed that they had always been considered as the property of the Crown.

Mr. Tierney observed, that his question had been pointed to the authority by which such duties were collected, and so applied. (*Hear hear.*)

The Chancellor of the Exchequer said, he had not looked attentively into the subject, but he believed that the Revenue arising from this source had belonged to the Crown ever since the capture of the place.

Mr. Tierney rejoined, that it was to be understood that the Right Hon. Gentleman had no other knowledge, for if he had he would undoubtedly communicate it, with respect to the taxes levied on merchants at Gibraltar, whatever might be their amount, than that they had been hitherto applied to the service of the Crown.

## GAME LAWS.

In answer to an inquiry made by Mr. Brand, it was stated, that the returns relative to the number of convictions, and the nature of the punishments inflicted for offences against the Game Law, would be produced in a short time.

## Gambling.

COURT OF COMMON PLEAS, LONDON, FEB. 18, 1812.

*Christie, versus Jones.*

This was an action brought by Mr. Christie, the Auctioneer, to recover from the Defendant 509*l.* which he alleged being money belonging to him, was won by the Defendant at games of cards of his clerk at different times and places.

Mr. Sergeant Copley stated this curious case, which was more regularly detailed in the following evidence:—

William Rickards said, he had been servant to Mr. Christie seven years. He was discharged at the end of July last. In his situation as clerk he was in the habit of receiving money coming to Mr. Christie as an auctioneer, to considerable amount. The various sums were paid on account of jewels, pictures, and property, sold in Pall-mall. The witness had known the Defendant between one and two years. The Defendant lived in Pall-mall, and kept a billiard table. The witness had played with him on many occasions at cards. He played with him for money about the 22*d* of April last. The defendant knew he was a clerk, but did not know he received his master's money. The first time he played at the Star and Garter, in Pall-mall. They played at cribbage, and the witness lost 30*l.* the money of his employer, Mr. James Christie. He met him again about the 30*th* April, and playing with Mr. Christie's money, lost 70*l.* On that occasion they began with 5*l.* a game, and increased it to 10*l.* and 15*l.* He met the defendant also at Bedford's Rooms, in Pall-mall, and played with him to a late hour. Two of the defendant's brothers were present, and he believed Mr. Bedford was there, but could not speak positively. The witness also played with a friend of Jones's, who was introduced to him. This friend pretended ignorance of the game, and it was understood that he was from the country. The defendant proposed his friend should play for him, and the witness should give him two holes at cribbage, leaving him at the same time at liberty to instruct him in his play. The witness was a winner on that occasion to the amount of 60*l.* part of which remained unpaid, but Jones paid it next-day. On the 1*st* of June he played with the defendant's friend on the same principle he had played before. The stakes were made good by the defendant; he lost 125*l.* which was Mr. Christie's money. He was unable to pay 15*l.* of the lost money that night, but next day he met the defendant, and paid him 15*l.* out of Mr. Christie's money. He, upon another occasion, played with the defendant's friend, at the sign of the Venison, in Brookstreet, for 150*l.* The defendant put down the stakes. The witness lost 80*l.* which was Mr. Christie's money. He remembered going with a 100*l.* Bank note, which he had taken at Ransom and Morland's, in payment of a cheque given by Mr. Woodburn, of St. Martin's-lane, for property bought of Mr. Christie. He lost the note in question to the defendant.

Cross-examined by Mr. Serjeant Vaughan.—He could not speak to the precise days on which he lost the money; but was positive to the dates of three gambling transactions, namely, the 8*th* of May, the 1*st* of June, and the 3*d* of June. He did not know the name of the defendant's friend. He found the knowledge of the friend improve, and the loss of his money was the consequence. He had never been threatened with a prosecution by Mr. Christie. He confessed his misconduct to Mr. Christie, being unable to make up his accounts. He was 25 years of age at the time of the transaction. He had lost money since, by playing with a man named Kirby. He was a married man, and had property to the amount of 300*l.* just before he lost Mr. Christie's money. He had no property when he lost Mr. Christie's.

John Langdon, another clerk to Mr. Christie, was at the Haunch of Venison, in Brook-street; he went by invitation of Rickards, and met him there, playing with the defendant. A Mr. Davidson was also present. Davidson was the friend of the defendant. About twelve o'clock Rickards went out for money, and came back with a supply, which he lost.

Mr. William Woodburn, a printseller, in St. Martin's-lane, proved that he paid 100*l.* to Mr. Christie by cheque, which Rickards received on the 1*st* of June.

A clerk, from Morland and Co. proved that the above cheque was paid to Rickards in a 100*l.* Bank-note, No. 18,024.

The note was then traced to the hands of the defendant, by Mr. D. Williams, a stock-broker, who received it from Mr. Jones on the 9th of June, to purchase stock for him.

This was the plaintiff's case.

Mr. Serjeant Vaughan addressed the Jury for the defendant, and contended that no credit ought to be given to such a person as Rickards, who came into Court as a witness to avoid a prosecution for felony. He called no witness.

The Chief Justice drew the attention of the Jury to the main features of the case: namely, the credit due to the principal witness. It would be dangerous, he said, to the public interest to hold that a person who had been decoyed into a gaming-house and led to commit crime, was not to be received as a witness. Transactions similar to that before them in general took place at midnight, and persons who became dupes of the designing gamester were, perhaps, the best witnesses to bring offenders to justice. Independent of all other considerations, the Jury would find the witness, Rickards, confirmed by other witnesses. If the Jury had a doubt, they would give the defendant the benefit—if they had not, they ought to find a verdict for the plaintiff. If they did find for the plaintiff, they might rest on their pillows with the consolation that they had rendered a service to the public.

The Jury without hesitation, found a Verdict for the Plaintiff—Damages 509*l*.

This cause attracted much attention, and a numerous attendance of sporting characters.

#### MADRAS CIVIL APPOINTMENTS.

Mr. W. Harington, Junior, Assistant to the Secretary to the Board of Revenue.

Mr. E. Bannerman, Head Assistant to the Collector and Magistrate of Masulipatam.

Mr. F. Lascelles, Head Assistant to the Collector and Magistrate of the Zillah of Cuddapah.

Mr. P. Grant, Register to the Zillah Court at Nellore.

#### Tomb of Sultan Khosru.

(From a Correspondent.)

At the time the Fort of Allahabad was built, it is well known that the Empire of the House of Timoor was subjected to some shocks from the neighbouring states. It had not then acquired the stability to which the Emperor Achar brought it before his death. I think it probable, therefore, that he intended this Fortress should be a check upon the independent Rajahs, whose dominions lay to the south west of the Jumna; as the Dooab, from its situation, must ever be open to incursions made from that quarter. Another reason for making this Fort the capital of the Subadari, was its convenient situation, in point of trade; since from all parts of the Dooab, the articles imported from the north and west of India, were embarked in boats, and carried down either the Ganges or Jumna, to the conflux of these two rivers, from whence they were forwarded to the confines of Bengal, and the sea ports of the empire.

In the reigns of Achar, Jehangeer, and Shah Jehan, Allahabad was considered as the emporium of the commerce of the Upper Provinces, and the old city, which runs along the north side, contained in those times great wealth deposited in warehouses.

In the reign of Arungzebe likewise it preserved its superiority; but the succeeding Princes of the House of Timoor, from the intestine wars they were constantly engaged in, could not pay that attention to commerce which was requisite to improve the riches of a nation. Trade therefore declined, and during the last fifty years before the province of Allahabad and Corah came under the British Government, they were reduced to a very insignificant state.

Westward of Allahabad, is the Tomb of Sultan Khosru, eldest son of the Emperor Jehangeer, who perished by assassination, in the year 1621, by the connivance of his brother Shah Jehan, the infamy of which action can never be effaced, nor can all the glory acquired by that prince, ever wash away the stain of his brother's blood.

According to Colonel Dow, Shah Jehan obtained possession of the person of his brother, by exciting an artificial alarm in the emperor's mind, of the consequences that might arise from the disturbances which had then broke out in the Dekkan; and the weak Jehangeer, too late repented of the easy manner in which he had yielded to the artifices of his son.

The catastrophe of the unfortunate prince was soon completed; a ruffian in the dead of night entered his apartment, and stabbed him to the heart. Khosru, though a weak man, had many shining qualities; his generosity, and magnificent spirit are admired, and his fate regretted in Hindoostan; but the testimony of regard and affection bestowed on him, by his sister Sultana Nessa Begum, deserves to be recorded.

Shortly after the death of Khosru was made public, this princess affirmed that her brother had appeared to her in a dream, and solemnly conjured her to erect a monument to his memory, at Allahabad. Accordingly, having obtained permission of the emperor Jahangeer, she built the Mausoleum we are about to describe, in a garden belonging to the emperor. After finishing the tomb, the princess directed another to be built for herself, declaring her resolution of being buried by the side of her beloved brother.

The Tomb of Khosru is a handsome building of a square form, having a dome at the top, and being decorated with four octagon pavilions. The materials are Chunar stone, and the inside of the tomb, both above and below, is adorned by a painting of flower-work, of different patterns. Half way up the wall, which is faced with very fine chunam, is a border, which runs along the whole exterior of the building, about six inches broad, containing inscriptions in the Persian language.

In the centre of the building is the sepulchre, which is one block of marble, of the usual shape, elevated on a marble terrace, about two feet from the ground, and round the edges of this tomb are two thin slips, one of white marble, the other Egyptian. The whole is covered with a green cloth, and is enclosed by a wooden railing, on which are hung flowers, beads, and other Mahomedan relics. There was formerly a considerable quantity of land allotted for the support of the attendants on this tomb, but this is now entirely confiscated; they have even lately taken away the salaries which the Vizier allowed to the attendants, and there is now only one on a monthly stipend of two rupees.

The Hafiz or guardian, in whose hands I saw a most beautiful copy of the Koran, presented me with the inscription, which gives the year of Khosru's death, contained in the following lines, by the operation of the arithmetical verse, called *objud*.

"Say thou that the year of his death is rendered illustrious; and that the splendour of Paradise is rendered permanent by his pure spirit.—Anno Hegira 1031."

In the western corner of this tomb, on a slab of black marble, about eleven inches square, is an impression of five fingers in rilievo. This symbol is emblematical of the doctrine of the Alutes or Sheeahs, whose tenets differ from the Sconnees or traditionalists. The five fingers imply the five pure bodies, which are, according to the Persians and followers of Ali,—1. Mahommed—2. Fatima—3. Ali—4. Hassan—5. Hossain. These are looked upon by the Sheeahs as the true succession; though it is disallowed by the Turks and others of the followers of Omar.

The Mausoleum of the princess, his sister, is about thirty yards distant from that of Khosru; it is elevated on a terrace to which you ascend by a flight of stone steps; the building is exactly the same as the other, excepting the marble terrace. It contains no sepulchre, the princess having been buried at Delhi by order of the Emperor Jehangeer; the inside is adorned with beautiful patterns of flower work, and in several parts are inscriptions in the Persian language, some of which are imperfect. The windows of this, as well as the tomb of Khosru are of lattice-work, excavated in the stone with the chissell, and were formerly decorated with panes of glass, painted in various colours, not unlike those in the antiquated cathedrals of Europe.

## Domestic Occurrences.

### BIRTHS.

- June 25. At Bangalore, the Lady of Captain S. S. Gummer, of the 23d N. I. of a Daughter.  
 26. At Secundrabad, the Lady of Captain Tolfrey, of the 1st N. I. of a Daughter.  
 July 20. At Calcutta, at the House of his Father, the Lady of J. S. Jebb, Esq. of a Son and Heir.

### DEATHS.

- June 17. At Masulipatam, William Smith, Esq. Assistant Surgeon, attached to the Civil Department of that Station.  
 19. At Belgaum, Isaac Stone, Esq. Assistant Surgeon, attached to the 4th Native Infantry.  
 24. At Negapatam, Lieutenant A. Rankin, of the 23d N. I.  
 27. At Trichinopoly, the Lady of Major W. I. Jones, Assistant Commissary General.  
 July 7. At Nardah, in the district of Bhargulpore, Mr. John Clark, Son of Captain Alexander Clark, of Laveress.

The Officers of the 1st Battalion of the 28th Regiment of Native Infantry, not having observed the death of one of their Brother Officers noticed in the Calcutta Papers, and being desirous of recording their sense of his exalted merits, have signified to us their wish to have the following recorded in our Obituary.

"Died on the 29th of December last, at Rewarrie, Lieutenant John Francis Appack, of the 1st Battalion 28th Regiment Native Infantry, an Officer distinguished for skill in his profession, firmness and courage in the discharge of all his public duties, and the most amiable and exemplary virtue in all the ties of friendship and the relations of private life. His Brother Officers, to express their deep sense of his worth, and to commemorate their high estimation of his character, have erected a monument to his memory."

## Shipping Intelligence.

### CALCUTTA ARRIVALS.

July. Names of Vessels	Flags	Commanders	From whence	Left
20 Neptune	British	R. Law	Liverpool	Feb. 27
20 Georgiana	British	J. Rogers	Coringa	July 9
20 St. Antonia	British	R. Turnbull	Juddah	May 19
20 Serieux	French	M. Darbie	Bordeaux	Feb. 11
20 Alexander	British	B. Rogers	Persian Gulph	—

### CALCUTTA DEPARTURES.

(None)

### MADRAS ARRIVALS.

June Names of Vessels	Flags	Commanders	From whence	Left
25 Seaforth	British	J. Davies	Liverpool	Feb. 5
29 Brothers	British	G. MacNicol	Covelong	June 27
30 Haldane	British	D. Wilson	Timor	May 26

### MADRAS DEPARTURES.

June. Names of Vessels	Flags	Commanders	Destination
27 Sappho	British	F. G. Stewart	Calcutta
30 Brothers	British	G. MacNicol	Calcutta
30 Lady Nugent	British	R. Swanston	Portsmouth

## Nautical Notices.

The ship Lady Nugent, after a long delay at Madras, finally left that place on the 30th of June, for Portsmouth.

The Free Trader Seaforth, Captain J. Davies, from Liverpool the 5th of February, was the last arrival from England, at Madras.

His Majesty's ship Eden, Captain F. C. Loch, left Madras on the 24th of June, bound on a cruise.

**New Expedition.**—Two ships were fitting out for a voyage of discovery to the North West, which were to sail early in the spring of 1819, under the command of Lieutenant Parry, instead of Captain Ross. It is said to be determined upon that in the following year another attempt should be made to sail to the North Pole direct.

A list of the ships of war now building, to replace the great number that have been condemned as unworthy of any further repair, and have been taken to pieces:—

**Line of Battle Ships.**—Britannia, Boschen, Belleisle, Carnatic, Chichester, Formidable, Ganges, London, Lancaster, Monarch, Malabar, Princess Charlotte, President, Portland, Powerful, Russell, Southampton, Trafalgar, Thunderer, Worcester, Winchester, and Vengeance.

**Frigates.**—Amazon, Athol, Blanche, Blonde, Cerberus, Circe, Clyde, Dedalus, Diana, Druid, Eolus, Fisgard, Fox, Hamadryad, Hebe, Jason, Latona, Medusa, Melampus, Mercury, Mermaid, Minerva, Nemesis, Nereus, Niemen, Pegasus, Penelope, Proserpine, Ranger, Rattlesnake, Seringapatam, Statira, Talbot, Thalia, Thames, Thisbe, Tweed, Unicorn, Venus.

**Sloops.**—Alacrity, Ariel, Brisk, Bastard, Cygnet, Delight, Eclipse, Emulous, Falcon, Frolic.

## Passengers.

*Passengers arrived at Madras on the Hyperion.*

Major Parby, of the Madras Establishment; and Lieutenant S. Hughes, of the 20th Madras Native Infantry.

*Passengers embarked from Madras on the Lady Nugent.*

Colonel Harris, Captain Low, Captain Burns, Captain McDonnell, Captain Dale, Lieutenant Smyth, Lieutenant Bindon, Lieutenant Otley, Paymaster Clarke, Adjutant Tucker, Quarter Master Whitman, and a Detachment of the 84th Regiment.

## Commercial Reports.

A letter from St. Petersburg, dated December 19, 1818, gives the following information:—

The Russian American Company held a general meeting on the 30th Nov. O. S. in which the accounts for 1816 and 1817 were produced, by which it appeared that the shareholders had to receive a dividend of 15 per cent. for each year.

The immense importation of gold and silver within two years is proved by the quantity that has been coined at the Mint. In 1817 it amounted to 16,000,000 of silver roubles; and up to Dec. 1, this year to 22,000,000 of silver roubles, in gold and silver. The quantity still uncoined amounts to 16,000,000 of silver roubles, making a total of 54 millions of roubles or about 3 millions Sterling. Though 70,000 roubles are coined daily; the Mint cannot work fast enough to coin immediately the metal delivered in. It therefore issues silver bonds, in which are fixed certain periods for the receipts of the silver coin, and these periods already go as far as October 1819. These bonds circulate as ready money, but at a discount of course.

The Mint always gives, on the receipt of piastres in bars, 1-5th of the value in coin, and the rest in the above bonds. These large quantities of the precious metals are mostly private property. Notwithstanding the large quantity of silver and gold which has thus come into circulation within two years, no proportionate decline is observed in the prices of the metals, compared with bank assignats. This is certainly caused by the immense importation of foreign goods, as well openly as by smuggling, which makes the balance of our trade unfavourable, not the ostensible balance, which is always favourable, but the real.

### CURRENT VALUE OF GOVERNMENT SECURITIES.

BUY	JULY 1819.	SELL
0 Ru. 10 As. {	Six per Cent Loan Promissory Notes.	0 Ru. 14 As.

### COURSE OF EXCHANGE.

REMIT	CALCUTTA	[DRAW
2s 6d	On London, 6 Months sight, per Sicca Rupee,	2s 7d
	On Bombay, 30 Days sight, per 100 Bom. Rs. Sa. Rs.	
	On Madras, 30 Days sight, per 100 St. Pags. Sa. Rs.	

Printed at the Union Press, in Garstin's Buildings, near the Bankhall and the Exchange.